

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>VICTOR K. LEMMONS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 1:20-CV-270</b>
	)	
<b>LEONARD G. AMBROSE, III,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM ORDER**

This action was received by the Clerk of Court on September 14, 2020 and was referred to United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

In his complaint, Plaintiff sues his former attorney for breach of contract, deceptive trade practices, and intentional infliction of emotional distress. ECF No. 2, pages 2-3. On January 6, 2021, Magistrate Judge Lanzillo issued a Report and Recommendation recommending that the complaint be dismissed without prejudice for failure to state a claim. ECF No. 8.

Plaintiff filed a document captioned as “Objections.” ECF No. 9. In this filing, Plaintiff states that he has no objections to the Report and Recommendation, but that he requests that this Court remand his case to the Erie County Court of Common Pleas.

After *de novo* review of the complaint and documents in the case, together with the report and recommendation and “Objections” thereto, the following order is entered:

AND NOW, this 29th day of January 2021,

IT IS ORDERED that the motion for leave to proceed in forma pauperis [ECF No. 6] be granted.

IT IS FURTHER ORDERED that this case be dismissed, without prejudice, due to Plaintiff's failure to state a claim in accordance with 28 U.S.C. § 1915(e). Plaintiff's request for a remand or transfer to the Erie County Court of Common Pleas is denied.

AND, IT IS FURTHER ORDERED that the report and recommendation of Magistrate Judge Lanzillo, issued on January 6, 2021 [ECF No. 8] is adopted as the opinion of the court.

/s/ Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
United States District Judge